

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**  
*Philadelphia Division*

IN RE: <u>TANIKA S DAVIS</u>	Case No. 19-15607-amc Chapter 13
Wells Fargo Bank, N.A., Movant	
vs.	
TANIKA S DAVIS, Debtor	

**OBJECTION TO CONFIRMATION  
OF DEBTOR'S CHAPTER 13 PLAN**

Wells Fargo Bank, N.A. ("Movant"), by and through its undersigned counsel, files this Objection to Confirmation of Debtor's Chapter 13 Plan (Doc 42), and states as follows:

1. The Debtor's filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on September 10, 2019.
2. Movant holds a security interest in the Debtor's real property located at 8012 Ogontz Avenue, Philadelphia, PA 19150 (the "Property"), by virtue of a Mortgage which is recorded as instrument Number 50675191 in the Public Records of Philadelphia County, Pennsylvania.
3. The Debtor's filed a Chapter 13 Plan (the "Plan") on January 1, 2021.
4. Movant filed a Proof of Claim in this case on September 26, 2019 (Claim No. 2-1) listing a total debt of \$190,718.83 and pre-petition arrears of \$60,336.44..
5. The Plan does not provide for payment of Movant's pre-petition arrears in the amount of \$60,336.44.

6. Movant objects to the Plan as it is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Movant objects to any plan which proposes to pay it anything less than \$60,336.44 as the pre-petition arrearage over the life of the plan.

**WHEREFORE**, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

*/s/ Andrew Spivack*  
Andrew Spivack (Bar No. 84439)  
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Movant

vs.

TANIKA S DAVIS,  
Debtor

Case No. 19-15607-amc  
Chapter 13

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and exact copy of the foregoing Objection to Confirmation of Debtor's Chapter 13 Plan has been electronically served or mailed, postage prepaid on February 23, 2021 to the following:

TANIKA S DAVIS  
8012 OGONTZ AVE  
PHILADELPHIA, PA 19150

Demetrius J. Parrish, Debtor's Attorney  
7715 Crittenden Street, #360  
Philadelphia, PA 19118

Scott F. Waterman, Bankruptcy Trustee  
2901 St. Lawrence Ave, Suite 100  
Reading, PA 19606

United States Trustee, US Trustee  
200 Chestnut Street, Suite 502  
Philadelphia, PA 19106

*/s/ Andrew Spivack*  
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